IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

FIRST APPEAL NO.1288 OF 2005

Union of India,
Represented by
The General Manager,
Central Railways,
Mumbai CSTS : Appellants.

versus

Smt.Annurpana Ulla Panigrahi
& ors. : Respondents.

Mr.A.N.Samant for the appellants.
Mr.G.J.Mohan Rao for the respondents.

CORAM : D.G.DESHPANDE,J.

DATED : 18th October 2005.

ORAL ORDER

1. Heard the learned counsel Mr.Samant for the Union of India and Mr.Mohan Roa for the respondent. By this appeal the Union of India has challenged the order of the Railway Claims

Tribunal awarding compensation to the respondents for lost of their children in a railway accident. Compensation of Rs.Four lakhs was awarded as per law with 6% interest from the date of the order till realisation.

2. The judgment of the tribunal shows that after considering the case of both the sides Issues were framed. It was found that the deceased was a bonafide passenger travelling from Mulund Railway Station to Kurla Railway Station by local train and fell therefrom near Vidyavihar station and he sustained head and scull injuries as result of which he died. There is also evidence on record to show that the respondents were the sole dependents of the deceased. So far as quantum is concerned, the amount of Rs.Four lakhs, awarded by way of compensation, is fixed by law itself. Nothing is brought to my notice that the judgment of the tribunal is wrong and perverse. Therefore, no interference is called for. The appeal is dismissed. The Amount deposited by the Union of India is allowed to be withdrawn by the respective respondents after their due identity as mentioned in the order.

[D.G.DESHPANDE]